



DAVE YOST

OHIO ATTORNEY GENERAL

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July 30, 2019

Via Email to 72551-96670949@requests.muckrock.com

Muckrock News Dept.
MR 72551
411A Highland Ave.
Somerville, MA 02144

Re: Your Public Records Request (#19-068)

Dear Sir or Madam,

I am writing in response to your July 5, 2019 email, which was a follow up to this Office's second denial of your May 3, 2019 public records request. In your May 3rd request, you asked for copies of "all email, calendar invites, text messages, instant messages, or memos sent, written, or received between January 1, 2017 and April 30, 2019" to or from any AGO employee and a list of 102 individuals, departments and/or organizations. On May 17, 2019 this Office properly denied your request, as it was overly broad and did not provide sufficient information to allow us to identify responsive records based on the way records are kept. Further, this Office advised you how we organize our records, provided to you our retention schedules, and offered to assist you in revising your request. Your revised request of June 4, 2019 did not remedy these deficiencies and your second request was similarly denied on June 5, 2019.

Your latest reformulated request seeks

"Copies of all available emails, documents and email attachments exchanged between officials at the Ohio Attorney General's Office and individuals affiliated with the Trump and Obama administrations, between January 1, 2017 and the date of receipt of this request. Please understand "officials at the Ohio Attorney General's Office" to include individuals holding the following titles: Attorney General; First Assistant Attorney General; Chief Counsel; Deputy Chief Counsel; Deputy Attorney General; and General Counsel. For email addresses affiliated with the Trump and Obama administrations, please use email addresses that contain any of the following domains or any of their subdomains: whitehouse.gov, eop.gov, trump.com, donaldjtrump.com, obama.org, barackobama.com, justice.gov, usdoj.gov. We want all emails to, from, cc, or bcc to those domains or their subdomains."

Once again, this request is overly broad and is being denied because it does not provide enough information to allow our office to identify responsive records based on the manner in which this office organizes and accesses its public records. "[I]t is the responsibility of the person who wishes to inspect and/or copy records to identify with reasonable clarity the records at issue." *State ex rel. Zidonis v. Columbus State Cmty. College*, 133 Ohio St.3d 122, 2012-Ohio-4228, 976

N.E.2d 861, ¶ 21. Further, Ohio law does not require a public office to provide all work-related messages from or to a public official, *State ex rel. Glasgow v. Jones*, 119 Ohio St.3d 391, 2008-Ohio-4778, 894 N.E.2d 686, ¶¶ 16-19, or to maintain email messages so that they can be retrieved based on sender and recipient status, *Zidonis*, ¶¶ 28-32. In addition, the Ohio Supreme Court has explained that a request for “any and all records...containing any reference to [a particular person]” is overly broad. *State ex rel. Dillery v. Icsman*, 92 Ohio St.3d 312, 2001-Ohio-193, 750 N.E.2d 156.

Once again, this Office does not maintain records according to sender and receiver. But, if you would like to identify a case name or topic, we will be happy to work with you to revise your request. If you have any questions or concerns regarding this response, or in the even you would like to revise your request, please feel free to contact the Public Records Unit at (614) 466-2872.

Very respectfully yours,

Bridget C. Coontz

Bridget C. Coontz
Section Chief – Public Records Unit

cc: MacKenzie S. Clayton, Paralegal, Public Records Unit